

111TH CONGRESS
1ST SESSION

S. 1795

To amend title 49, United States Code, to permit certain revenues of private providers of public transportation by vanpool received from providing public transportation to be used for the purpose of acquiring rolling stock, and to permit certain expenditures of private vanpool contractors to be credited toward the local matching share of the costs of public transportation projects.

IN THE SENATE OF THE UNITED STATES

OCTOBER 15, 2009

Ms. MURKOWSKI (for herself and Mr. BEGICH) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Private Investment in
3 Commuter Vanpooling Act of 2009”.

4 **SEC. 2. GOVERNMENT’S SHARE OF COSTS FOR PUBLIC**
5 **TRANSPORTATION PROJECTS.**

6 Section 5323(i) of title 49, United States Code, is
7 amended by adding at the end the following:

8 “(3) COSTS INCURRED BY PRIVATE PROVIDERS
9 OF PUBLIC TRANSPORTATION BY VANPOOL.—

10 “(A) LOCAL MATCHING SHARE.—The local
11 matching share provided by a recipient of as-
12 sistance for a capital project under this chapter
13 may include any amounts expended by a private
14 provider of public transportation by vanpool for
15 the acquisition of rolling stock to be used by
16 such private provider in the recipient’s service
17 area, excluding any amounts the provider may
18 have received in Federal, State, or local govern-
19 ment assistance for such acquisition.

20 “(B) USE OF REVENUES.—A private pro-
21 vider of public transportation by vanpool may
22 use revenues it receives in the provision of pub-
23 lic transportation service in the service area of
24 a recipient of assistance under this chapter that
25 are in excess of the private provider’s operating
26 costs for the purpose of acquiring rolling stock,

1 if the private provider enters into a legally bind-
 2 ing agreement with the recipient that requires
 3 the private provider to use the rolling stock in
 4 the recipient's service area.

5 “(C) DEFINITIONS.—In this paragraph,
 6 the following definitions apply:

7 “(i) PRIVATE PROVIDER OF PUBLIC
 8 TRANSPORTATION BY VANPOOL.—The term
 9 ‘private provider of public transportation
 10 by vanpool’ means a private entity pro-
 11 viding vanpool services in the service area
 12 of a recipient of assistance under this
 13 chapter using a commuter highway vehicle
 14 or vanpool vehicle.

15 “(ii) COMMUTER HIGHWAY VEHICLE;
 16 VANPOOL VEHICLE.—The term ‘commuter
 17 highway vehicle’ or ‘vanpool vehicle’ means
 18 any vehicle—

19 “(I) the seating capacity of which
 20 is at least 6 adults (not including the
 21 driver); and

22 “(II) at least 80 percent of the
 23 mileage use of which can be reason-
 24 ably expected to be for the purposes
 25 of transporting commuters in connec-

1 tion with travel between their resi-
2 dences and their place of employ-
3 ment.”.

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